

**City of Bellefontaine Neighbors
Planning & Zoning Commission Minutes
May 13, 2019**

The meeting was called to order by Chairman Wiese at 7:04 pm.

Attendance

Present: Chairman Wiese, Members Borzymowski, Gordon, Duhadway, Barrett, Alderwoman Dailes, City Engineer Klein, Inspector Raben

Previous Meeting Minutes

Members were asked if there were any changes to the minutes of the P&Z meeting April 8, 2019. No changes were requested; motion to accept minutes was made by Duhadway, seconded by Barrett. The motion passed unanimously.

665 St. Cyr Road

A redrawing of lot lines/reverse subdivision was requested by Sherill & Associates, Surveyors, for the property at 665 St. Cyr Road so the building there can be included into a single lot. Presently, it straddles lots which complicates its use as a single building, which contains a firewall. A motion was made to approve the action by Gordon, seconded by Borzymowski. The motion passed unanimously.

949 Chambers Road

Raj Patel, representing Arch 94, LLC, appeared as a buyer & future operator of the Conoco/United Mart station at 949 Chambers Road. He stated the nature of the business will not change, that the location will continue to operate selling the same products (gasoline, food, liquor) as it does today. They have submitted a letter of intent and stated they have obtained a state license. They have applied for a permit to operate. At least one resident complained about repeated noise coming from the previous operation there, not wanting to repeat the experience with the new owner. The site is zoned properly for the business. Since this will not be a change in business, a motion to approve the application was made by Borzymowski; Barrett seconded the motion. Dailes abstained from voting.

9309 Bellefontaine Road

The building at 9309 Bellefontaine Road was on the agenda but there was no one at the meeting representing the applicant. The applicant is Fadi Nasser who is intending to open a liquor/grocery store at the site. It was noted that no one showed up at the previous P&Z meeting which also had the same applicant scheduled to appear. Wiese stated that if the owner doesn't show up at the next P&Z meeting, the application will be dropped. Alderwoman Dailes stated that, if this is their second no-show, they should have to re-submit their application. It was stated that Mr. Nasser has bought the property and may be trying to reconfigure it. Environmental concerns were briefly discussed. Borzymowski stated that the onus of responsibility is on the owner to comply with EPA rules. He recommended disallowing moving forward on the application until an EPA reports clears the site. Engineer Klein recommended talking to the City attorney after the EPA response. Letter of intent through P&Z. There were a number of concerns voiced about this site becoming a liquor store from the audience.

In-Home day Cares

Borzymowski had a copy of the City of St. Louis rules concerning in-home daycares; he suggested we might look at state requirements that apply. Duhadway stated that Bellefontaine Article 13 ordinance should be used as a foundation and add conditions/qualifications to it. Gordon brought up referencing (?) Department of Health & Senior Services requirements by state of Missouri in any ordinance revision. Bellefontaine could require renewing the business license annually, but state already requires license renewal annually.

Recommendations for BoA Consideration:

BFN could inspect property annually, including playground equipment.

BFN could limit the number of in-home daycares per ward. Alderwoman Dailes suggested one/ward.

Borzymowski recommended owner verification annually (for those daycares whose operators rent) and random inspections up to 2X/year.

It was stated the Department of Health required at least 35 SF/child inside space and 750 SF of yard space.

We could require the operator sign a document stating they will abide by St. Louis County requirements. (PGB - This may be redundant).

Inspector Raben recommended a letter from the Owner be required (if operator is renting) stating the Owner has been informed of intended daycare operation and is in agreement with it.

It was agreed that if excessive traffic or noise results from the daycare operation, their license to operate can be revoked. Under such circumstances, three citations would be needed to trigger revocation.

Barrett stated that a condition could be added to the ordinance banning the household from having aggressive or exotic pets that could pose a danger to children in care. Someone stated that the State of Missouri already has a requirement that any animals must be in crates/cages while the daycare is in operation.

Dailes requested more specificity in ordinance language, citing the city of Crestwood as an example.

Gordon stated our ordinance could include "...must abide by the State of Missouri regulations".

Weise recommended that all daycare applications must include a site plan.

Klein recommended that all daycare applications must include an emergency plan and a plan (drawing) for emergency responders.

Duhadway recommended that any number of total children allowed in the home should include those who already live there.

There was some discussion that, in St. Louis County, the total number of children allowed is ten. During discussion, it was stated that there seems to be two different numerical allowances, depending on the regulations being followed: 6 non-related children + 4 live-in children OR 4 non-related children + 4 live-in children. It was agreed that any ordinance must be consistent.

P&Z would recommend to the Board of Alderman that they review the number of caregivers required and max number of children allowed.

A motion was made to end the daycare discussion by Borzymowski, seconded by Gordon.

Review and discussion of the "The Comprehensive Plan for the City of Bellefontaine Neighbors"

Wiese stated that at the recent BoA meeting Alderman Reed suggested BN develop a mission statement. Once developed all departments within the City would focus their efforts and resources around that Mission Statement.

Then Wiese turned to study and its contents. He stated that the problems discussed in this 1998 document are mostly the same ones we see today. He stated that there three things in the study that had particular meaning to this board.

1. The 1998 report pointed out that Bellefontaine was a bedroom community. The challenge is that most of the houses were built in the 25+ years following WWII and they at the age where they need upgrades. Bellefontaine Neighbors will likely remain predominantly a residential community for the foreseeable future. There are precious few properties available for Commercial or Industrial Development. In addition, BN has a disproportionate amount of land used for public and semi-public purposes (schools, Gov. owned, churches, cemeteries) that pay little or no Tax.
2. The most common thread throughout the document (from the authors and broad public participation) was Strict Code Enforcement via the Inspection Dept. After all, if what we have is houses, then it's clear to see that if the value of those houses increases, so too does the revenue the city so desperately needs. The study concluded that for the most part buildings are in good condition. Further they attributed this to people and business alike caring about the appearance of where they work and live.
3. Demographic changes, among other factors, are resulting in houses being converted into Rental properties. Throughout the Metro area this trend is the warning flag for a decline in property values and the quality of the housing stock. Therefore, what can BN do about Absentee Landlords.

Two maps from the study were handed out: One showed all the residential properties highlighted, the second highlighted the Commercial/Industrial sites.

Exhibit III Existing Building Conditions December 1997, showing mostly green for properties in Good condition and white/orange for properties in Fair/Poor condition. It was stated this map was the result of a drive-around survey with Good/Fair/Poor defined prior to the survey.

Exhibit IV Recommended Land Use Changes December 1997

Wiese stated that, at about the time this report was made, there were three nights of workshops held to ask what citizens wanted most from City officials. Code Enforcement was the unanimous response.

Wiese brought up the subject of absentee landlords as an area for improvement. He suggested we require asking for names & contact information of officers of each LLC renting property in BFN. Raben stated that is done now, but if property changes hands, traceability is lost. It is an ongoing problem.

Conceptual Solutions

With limited Commercial & Industrial sites available for development, Bellefontaine Neighbors revenue driver is houses.

Why not use Real Estate Tax and creative financing as a way to incent investment in what makes BN more valuable? Financing would be limited to residential houses.

Wiese brought up four existing ways to get additional funds:

1. TIFS (tax increment financing)
2. Government bonds
3. Brownfield environmental remediation (not very applicable)
4. New market tax credits.

Thought should be put into ways of making landlords & renters accountable.

Wiese continued...

We all agree that holding home owners, Landlords, and renters responsible to maintain their houses effects personal and community pride making BN a better place to live. Equally important it raises the value of the property. This is all great, but we need to incent people to invest in their houses. Time and Money

Bellefontaine Neighbors Loan program requirements; non-exhaustive list for discussion purposes.

1. Must own a house in BN
2. Must be current on mortgage, real estate taxes, and have no pending bankruptcies.
3. Permit is required, gets inspector into the property.
4. Improvements must fall into the following categories and/or be submitted for approval from the building dept.
 - a. Mechanical System equipment. (HVAC, Plumbing) Energy Star may provide additional incentives.
 - b. Structural. (roof, siding, driveway, foundation)
 - c. Electrical. (service change, interior lighting, etc.)
 - d. Architectural. (Kitchen, bath, basement remodel.)
5. Receipts for Labor & Material must be presented to Building Dept. before reimbursement.
6. Put sign in yard "This Community Improvement Project funded by CIP", ask City Hall how you can get money to improve your home!

Financing packages awarded are limited by Ordinance rules outlining program. BoA has final say on any loan approval.

B. Code Enforcement.

1. Inspectors must follow existing Ordinances strictly.
2. Perform Windshield Building Survey of the entire City's housing stock (as the 1998 study did). Houses will be ranked Good, Fair, or Poor. The classifications will clear definitions to aid the individual grading the property. For instance, a rating of Good doesn't mean perfect some minor imperfections may still be present. Poor reflects many more issues or more severe issues. Exterior conditions are usually reflected on the inside of the house.
3. Occupancy Permit Program. Study gave an example of a measure that required sellers to post inspection history and occupancy restrictions.
4. Perform review of Building Dept Inspection process and document sequence of operation for the process. This will be updated as needed and used as "Building Dept. Memory" and used for efficiency matrix as well as training for new employees. Create (if they don't already exist) inspections log. This data must be made available to study trends or recognize problems.

C. Landlords.

1. Investors (Landlords) must provide list of company officers and/or building manager contact information before any permit is granted. Information MUST be updated semi-annually to the Building Dept.
2. Loan program IS available to Landlords with additional requirements.
3. Rules of the Road, Landlords must read and sign a BN prepared document requiring annual inspections regardless of an Occupancy change.

Community input is critical to the success in the process of creating goals & objectives.

In 1998 BN accomplished this by performing a series of community workshops. These were performed at the outset of the planning process. At the conclusion of the workshops a set of goals and objectives was created and presented to the BoA as draft document. In this case the included a broad array of subjects from P&Z to Municipal Gov., community image to business development.

The goals & objectives are attached to review. In addition, the results of all three workshops were provided to members, I believe they could be used as a model for workshops for today's residents. The residents have changed but the issues are the same.

Alderwoman Dailes suggested a \$200/year fee for all rental property to pay for more frequent (yearly/quarterly) inspection. Raben stated that lists exist for those properties behind on taxes, vacant homes and government-as-landlord/Section 8 properties. Someone asked if BFN can enforce Section 8 guidelines (without a clear answer).

Wiese also mentioned an I-270/I-367 study performed April 1998, forwarded to members by e-mail. Minutes include notes from Wiese's presentation for the purposes of transparency and for the record.

A motion to adjourn was made by Borzymowski and seconded by Barrett. The meeting adjourned at 8:35 pm.

Respectfully Submitted,

Pat Barrett